

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

**RCRA Corrective Action
Environmental Indicator (EI) RCRIS code (CA725)**

Current Human Exposures Under Control

Facility Name: InteliData (formerly CEE Associates)
Facility Address: 80 Pickett District Road, New Milford, Connecticut 06676
Facility EPA ID #: CTD044121697

1. Has all available relevant/significant information on known and reasonably suspected releases to soil, groundwater, surface water/sediments, and air, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been considered in this EI determination?

☒ If yes - check here and continue with #2 below.

☐ If no - re-evaluate existing data, or

☐ if data are not available skip to #6 and enter "IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Current Human Exposures Under Control" EI

A positive "Current Human Exposures Under Control" EI determination ("YE" status code) indicates that there are no "unacceptable" human exposures to "contamination" (i.e., contaminants in concentrations in excess of appropriate risk-based levels) that can be reasonably expected under current land- and groundwater-use conditions (for all "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Current Human Exposures Under Control" EI are for reasonably expected human exposures under current land- and groundwater-use conditions ONLY, and do not consider potential future land- or groundwater-use conditions or ecological receptors. The RCRA Corrective Action program's overall mission to protect human health and the environment requires that Final remedies address these issues (i.e., potential future human exposure scenarios, future land and groundwater uses, and ecological receptors).

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

Page 2

2. Are groundwater, soil, surface water, sediments, or air media known or reasonably suspected to be "contaminated"¹ above appropriately protective risk-based "levels" (applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action (from SWMUs, RUs or AOCs)?

	<u>Yes</u>	<u>No</u>	<u>?</u>	<u>Rationale / Key Contaminants</u>
Groundwater	✓	—	—	<u>Chlorinated VOCs, primarily DCE*</u>
Air (indoors) ²	—	✓	—	<u>Negative levels on PID</u>
Surface Soil (<2 ft)	—	✓	—	<u>Lab analysis showed all levels below regulated values</u>
Surface Water	—	✓	—	<u>None on site</u>
Sediment	—	—	✓	<u>None</u>
Subsurf. Soil (e.g., >2 ft)	—	✓	—	<u>Lab analysis showed all levels below regulated values</u>
Air (outdoors)	—	✓	—	<u>Negative levels on PID</u>

*Indications are that there is an off-site source for the detected ground-water contamination

_____ If no (for all media) - skip to #6, and enter "YE," status code after providing or citing appropriate "levels," and referencing sufficient supporting documentation demonstrating that these "levels" are not exceeded.

✓_____ If yes (for any media) - continue after identifying key contaminants in each "contaminated" medium, citing appropriate "levels" (or provide an explanation for the determination that the medium could pose an unacceptable risk), and referencing supporting documentation.

_____ If unknown (for any media) - skip to #6 and enter "IN" status code.

Rationale and Reference: While recent data collected in late 1998 and early 1999 indicates that volatile organic compounds (VOCs) are present in on-Site ground-water monitoring wells, preliminary investigation results suggest that the source of such contamination may be off-Site and upgradient of the subject property. However, more information is needed before any conclusions can be drawn, as not all potential source areas on the property have been evaluated. A figure and a table showing well locations and monitoring results are attached. Surface and sub-surface soil samples were collected from test borings during monitoring well installation activities and were screened for the presence of VOCs using a PID. No positive PID responses were recorded from these samples. Samples were taken from soil borings in the foot prints of the former surface impoundment, the former lagoon, and the on-site septic system leaching field. No constituents were found above regulatory levels. An attachment to a June 14, 1990 letter sent to EPA from William J. Tracey, Vice President, Burndy Corporation (attached), stated that Diventico Corporation, a previous operator at the facility, was convicted in Litchfield Superior Court for unpermitted discharges, to the Housatonic River, of improperly treated wastewater reportedly containing copper, tin, lead, and suspended solids. Therefore, more historical information is needed to determine whether Housatonic River sediments need to be sampled.

¹ "Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriately protective risk-based "levels" (for the media, that identify risks within the acceptable risk range).

² Recent evidence (from the Colorado Dept. of Public Health and Environment, and others) suggest that unacceptable indoor air concentrations are more common in structures above groundwater with volatile contaminants than previously believed. This is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration necessary to be reasonably certain that indoor air (in structures located above (and adjacent to) groundwater with volatile contaminants) does not present unacceptable risks.

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)
Page 3

3. Are there **complete pathways** between "contamination" and human receptors such that exposures can be reasonably expected under the current (land- and groundwater-use) conditions?

Summary Exposure Pathway Evaluation Table

<u>"Contaminated" Media</u>	<u>Potential Human Receptors (Under Current Conditions)</u>						
	Residents	Workers	Day-Care	Construction	Trespassers	Recreation	Food ³
Groundwater	<u>?</u>	<u>x</u>	<u> </u>	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Air (indoors)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Soil (surface, e.g., <2 ft)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Surface Water	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Sediment	<u>?</u>	<u>?</u>	<u> </u>	<u> </u>	<u> </u>	<u>?</u>	<u>?</u>
Soil (subsurface e.g., >2 ft)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Air (outdoors)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Instructions for Summary Exposure Pathway Evaluation Table:

1. Strike-out specific Media including Human Receptors' spaces for Media which are not "contaminated") as identified in #2 above.
2. enter "yes" or "no" for potential "completeness" under each "Contaminated" Media -- Human Receptor combination (Pathway).

Note: In order to focus the evaluation to the most probable combinations some potential "Contaminated" Media - Human Receptor combinations (Pathways) do not have check spaces ("___"). While these combinations may not be probable in most situations they may be possible in some settings and should be added as necessary.

- If no (pathways are not complete for any contaminated media-receptor combination) - skip to #6, and enter "YE" status code, after explaining and/or referencing condition(s) in-place, whether natural or man-made, preventing a complete exposure pathway from each contaminated medium (e.g., use optional Pathway Evaluation Work Sheet to analyze major pathways).
- x If yes (pathways are complete for any "Contaminated" Media - Human Receptor combination) - continue after providing supporting explanation.
- If unknown (for any "Contaminated" Media - Human Receptor combination) - skip to #6 and enter "IN" status code

Rationale and Reference: An evaluation should be done to determine whether groundwater downgradient of the facility may be used as drinking water. Workers may contact contaminated groundwater while collecting samples. Construction workers may contact contaminated groundwater during construction activities performed below the water table. Receptors which may be exposed to sediments will need to be identified if sediments are found to be contaminated as a result of activities at the facility.

³ Indirect Pathway/Receptor (e.g., vegetables, fruits, crops, meat and dairy products, fish, shellfish, etc.)

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)
Page 4

- 4 Can the exposures from any of the complete pathways identified in #3 be reasonably expected to be "significant"⁴ (i.e., potentially "unacceptable" because exposures can be reasonably expected to be: 1) greater in magnitude (intensity, frequency and/or duration) than assumed in the derivation of the acceptable "levels" (used to identify the "contamination"); or 2) the combination of exposure magnitude (perhaps even though low) and contaminant concentrations (which may be substantially above the acceptable "levels") could result in greater than acceptable risks)?

_____ If no (exposures can not be reasonably expected to be significant (i.e., potentially "unacceptable") for any complete exposure pathway) - skip to #6 and enter "YE" status code after explaining and/or referencing documentation justifying why the exposures (from each of the complete pathways) to "contamination" (identified in #3) are not expected to be "significant."

_____ If yes (exposures could be reasonably expected to be "significant" (i.e., potentially "unacceptable") for any complete exposure pathway) - continue after providing a description (of each potentially "unacceptable" exposure pathway) and explaining and/or referencing documentation justifying why the exposures (from each of the remaining complete pathways) to "contamination" (identified in #3) are not expected to be "significant."

✓ If unknown (for any complete pathway) - skip to #6 and enter "IN" status code

Rationale and Reference(s): As described in the previous section, more work needs to be done to evaluate exposure to facility contaminants. A health and safety plan, included in both the September 24, 1998 Phase II Environmental Site Assessment report and the December 30, 1998 Addendum to Phase II Environmental Site Assessment report, is designed to limit exposure of workers and construction workers to contaminated media, so that such exposures would not be significant.

⁴ If there is any question on whether the identified exposures are "significant" (i.e., potentially "unacceptable") consult a human health Risk Assessment specialist with appropriate education, training and experience.

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)
Page 5

5 Can the "significant" **exposures** (identified in #4) be shown to be within **acceptable** limits?

_____ If yes (all "significant" exposures have been shown to be within acceptable limits) - continue and enter "YE" after summarizing and referencing documentation justifying why all "significant" exposures to "contamination" are within acceptable limits (e.g., a site-specific Human Health Risk Assessment).

_____ If no (there are current exposures that can be reasonably expected to be "unacceptable")- continue and enter "NO" status code after providing a description of each potentially "unacceptable" exposure.

 x If unknown (for any potentially "unacceptable" exposure) - continue and enter "IN" status code

Rationale and Reference(s): As described in previous section.

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

Page 6

6. Check the appropriate RCRIS status codes for the Current Human Exposures Under Control EI event code (CA725), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (and attach appropriate supporting documentation as well as a map of the facility):

☐ YE - Yes, "Current Human Exposures Under Control" has been verified. Based on a review of the information contained in this EI Determination, "Current Human Exposures" are expected to be "Under Control" at the _____ facility, EPA ID # _____, located at _____ under current and reasonably expected conditions. This determination will be re-evaluated when the Agency/State becomes aware of significant changes at the facility.

☐ NO - "Current Human Exposures" are NOT "Under Control."

☒ IN - More information is needed to make a determination.

Completed by (signature) Stephanie Carr Date 8/25/99
(print) Stephanie Carr
(title) RCRA Facility Manager

Supervisor (signature) _____ Date _____
(print) _____
(title) _____

(EPA Region or State) EPA Region I

Locations where References may be found:

Environmental Resources Management, Phase II Environmental Assessment, September 24, 1998
Environmental Resources Management, Addendum to Phase II Environmental Site Assessment,
Dec. 30 1998

Contact telephone and e-mail numbers

(name) Stephanie Carr
(phone #) 617/918-1363
(e-mail) carr.stephanie@epa.gov

FINAL NOTE: THE HUMAN EXPOSURES EI IS A QUALITATIVE SCREENING OF EXPOSURES AND THE DETERMINATIONS WITHIN THIS DOCUMENT SHOULD NOT BE USED AS THE SOLE BASIS FOR RESTRICTING THE SCOPE OF MORE DETAILED (E.G., SITE-SPECIFIC) ASSESSMENTS OF RISK.

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action Environmental Indicator (EI) RCRIS code (CA750)

Migration of Contaminated Groundwater Under Control

Facility Name: InteliData (formerly CEE Associates)
Facility Address: 80 Pickett District Road, New Milford, Connecticut
Facility EPA ID #: CTD044121697

1. Has all available relevant/significant information on known and reasonably suspected releases to the groundwater media, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been considered in this EI determination?

☒ If yes - check here and continue with #2 below.

☐ If no - re-evaluate existing data, or

☐ if data are not available, skip to #8 and enter "IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Migration of Contaminated Groundwater Under Control" EI

A positive "Migration of Contaminated Groundwater Under Control" EI determination ("YE" status code) indicates that the migration of "contaminated" groundwater has stabilized, and that monitoring will be conducted to confirm that contaminated groundwater remains within the original "area of contaminated groundwater" (for all groundwater "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Migration of Contaminated Groundwater Under Control" EI pertains ONLY to the physical migration (i.e., further spread) of contaminated ground water and contaminants within groundwater (e.g., non-aqueous phase liquids or NAPLs). Achieving this EI does not substitute for achieving other stabilization or final remedy requirements and expectations associated with sources of contamination and the need to restore, wherever practicable, contaminated groundwater to be suitable for its designated current and future uses.

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)
Page 2

2. Is groundwater known or reasonably suspected to be "contaminated"¹ above appropriately protective "levels" (i.e., applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action, anywhere at, or from, the facility?
- _____ If yes - continue after identifying key contaminants, citing appropriate "levels," and referencing supporting documentation.
- _____ If no - skip to #8 and enter "YE" status code, after citing appropriate "levels," and referencing supporting documentation to demonstrate that groundwater is not "contaminated."
- ✓ If unknown - skip to #8 and enter "IN" status code*.

*Note that while on-Site ground-water contamination has been identified, preliminary results indicate that the source is upgradient and off-Site and therefore not a result of a release subject to RCRA Corrective Action anywhere at or from, the facility.

Rationale and Reference(s): While recent data collected in late 1998 and early 1999 indicate that volatile organic compounds (VOCs) are present in on-Site ground-water monitoring wells, preliminary investigation results suggest that the source of such contamination may be off-Site and upgradient of the subject property. However, more information is needed before any conclusions can be drawn, as not all potential source areas on the property have been evaluated. A figure and a table (taken from the December 30, 1998 Addendum to Phase II Environmental Site Assessment) showing well locations and monitoring results are attached.

Additional sub-surface investigation is ongoing at the Site in order to satisfy the Connecticut Remediation Standards Regulations (RSRs). This investigation will determine the source and assist in delineation of any ground-water contamination.

Footnotes:

¹"Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriate "levels" (appropriate for the protection of the groundwater resource and its beneficial uses).

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)
Page 3

3. Has the **migration** of contaminated groundwater stabilized (such that contaminated groundwater is expected to remain within "existing area of contaminated groundwater"² as defined by the monitoring locations designated at the time of this determination)?

- _____ If yes - continue, after presenting or referencing the physical evidence (e.g., groundwater sampling/measurement/migration barrier data) and rationale why contaminated groundwater is expected to remain within the (horizontal or vertical) dimensions of the "existing area of groundwater contamination"².
- _____ If no (contaminated groundwater is observed or expected to migrate beyond the designated locations defining the "existing area of groundwater contamination"²) - skip to #8 and enter "NO" status code, after providing an explanation.
- _____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s):

² "existing area of contaminated groundwater" is an area (with horizontal and vertical dimensions) that has been verifiably demonstrated to contain all relevant groundwater contamination for this determination, and is defined by designated (monitoring) locations proximate to the outer perimeter of "contamination" that can and will be sampled/tested in the future to physically verify that all "contaminated" groundwater remains within this area, and that the further migration of "contaminated" groundwater is not occurring. Reasonable allowances in the proximity of the monitoring locations are permissible to incorporate formal remedy decisions (i.e., including public participation) allowing a limited area for natural attenuation.

Page 4

_____ If yes - continue after identifying potentially affected surface water bodies.

_____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s): _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)

Page 5

5. Is the **discharge** of "contaminated" groundwater into surface water likely to be "**insignificant**" (i.e., the maximum concentration³ of each contaminant discharging into surface water is less than 10 times their appropriate groundwater "level," and there are no other conditions (e.g., the nature, and number, of discharging contaminants, or environmental setting), which significantly increase the potential for unacceptable impacts to surface water, sediments, or eco-systems at these concentrations)?

_____ If yes - skip to #7 (and enter "YE" status code in #8 if #7 = yes), after documenting: 1) the maximum known or reasonably suspected concentration³ of key contaminants discharged above their groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) provide a statement of professional judgement/explanation (or reference documentation) supporting that the discharge of groundwater contaminants into the surface water is not anticipated to have unacceptable impacts to the receiving surface water, sediments, or eco-system.

_____ If no - (the discharge of "contaminated" groundwater into surface water is potentially significant) - continue after documenting: 1) the maximum known or reasonably suspected concentration³ of each contaminant discharged above its groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) for any contaminants discharging into surface water in concentrations³ greater than 100 times their appropriate groundwater "levels," the estimated total amount (mass in kg/yr) of each of these contaminants that are being discharged (loaded) into the surface water body (at the time of the determination), and identify if there is evidence that the amount of discharging contaminants is increasing.

_____ If unknown - enter "IN" status code in #8.

Rationale and Reference(s): _____

3 As measured in groundwater prior to entry to the groundwater-surface water/sediment interaction (e.g., hyporheic) zone.

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)

Page 6

6. Can the discharge of "contaminated" groundwater into surface water be shown to be **"currently acceptable"** (i.e., not cause impacts to surface water, sediments or eco-systems that should not be allowed to continue until a final remedy decision can be made and implemented⁴)?

_____ If yes - continue after either: 1) identifying the Final Remedy decision incorporating these conditions, or other site-specific criteria (developed for the protection of the site's surface water, sediments, and eco-systems), and referencing supporting documentation demonstrating that these criteria are not exceeded by the discharging groundwater; OR 2) providing or referencing an interim-assessment,⁵ appropriate to the potential for impact, that shows the discharge of groundwater contaminants into the surface water is (in the opinion of a trained specialists, including ecologist) adequately protective of receiving surface water, sediments, and eco-systems, until such time when a full assessment and final remedy decision can be made. Factors which should be considered in the interim-assessment (where appropriate to help identify the impact associated with discharging groundwater) include: surface water body size, flow, use/classification/habitats and contaminant loading limits, other sources of surface water/sediment contamination, surface water and sediment sample results and comparisons to available and appropriate surface water and sediment "levels," as well as any other factors, such as effects on ecological receptors (e.g., via bio-assays/benthic surveys or site-specific ecological Risk Assessments), that the overseeing regulatory agency would deem appropriate for making the EI determination.

_____ If no - (the discharge of "contaminated" groundwater can not be shown to be **"currently acceptable"**) - skip to #8 and enter "NO" status code, after documenting the currently unacceptable impacts to the surface water body, sediments, and/or eco-systems.

___ ___ If unknown - skip to 8 and enter "IN" status code.

Rationale and Reference(s): _____

⁴ Note, because areas of inflowing groundwater can be critical habitats (e.g., nurseries or thermal refugia) for many species, appropriate specialist (e.g., ecologist) should be included in management decisions that could eliminate these areas by significantly altering or reversing groundwater flow pathways near surface water bodies.

⁵ The understanding of the impacts of contaminated groundwater discharges into surface water bodies is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration to be reasonably certain that discharges are not causing currently unacceptable impacts to the surface waters, sediments or eco-systems.

Page 7

If yes - continue after providing or citing documentation for planned activities or future sampling/measurement events. Specifically identify the well/measurement locations which will be tested in the future to verify the expectation (identified in #3) that groundwater contamination will not be migrating horizontally (or vertically, as necessary) beyond the "existing area of groundwater contamination."

_____ If unknown - enter "IN" status code in #8.

Rationale and Reference(s):

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)

Page 8

8. Check the appropriate RCRIS status codes for the Migration of Contaminated Groundwater Under Control EI (event code CA750), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (attach appropriate supporting documentation as well as a map of the facility).

_____ YE - Yes, "Migration of Contaminated Groundwater Under Control" has been verified. Based on a review of the information contained in this EI determination, it has been determined that the "Migration of Contaminated Groundwater" is "Under Control" at the _____ facility, EPA ID # _____, located at _____. Specifically, this determination indicates that the migration of "contaminated" groundwater is under control, and that monitoring will be conducted to confirm that contaminated groundwater remains within the "existing area of contaminated groundwater" This determination will be re-evaluated when the Agency becomes aware of significant changes at the facility.

_____ NO - Unacceptable migration of contaminated groundwater is observed or expected.

☒ IN - More information is needed to make a determination. (i.e., the source of the ground-water contamination)

Completed by (signature) Stephanie Carr Date 8/25/99
(print) Stephanie Carr
(title) RCRA Facility Manager

Supervisor (signature) _____ Date _____
(print) _____
(title) _____

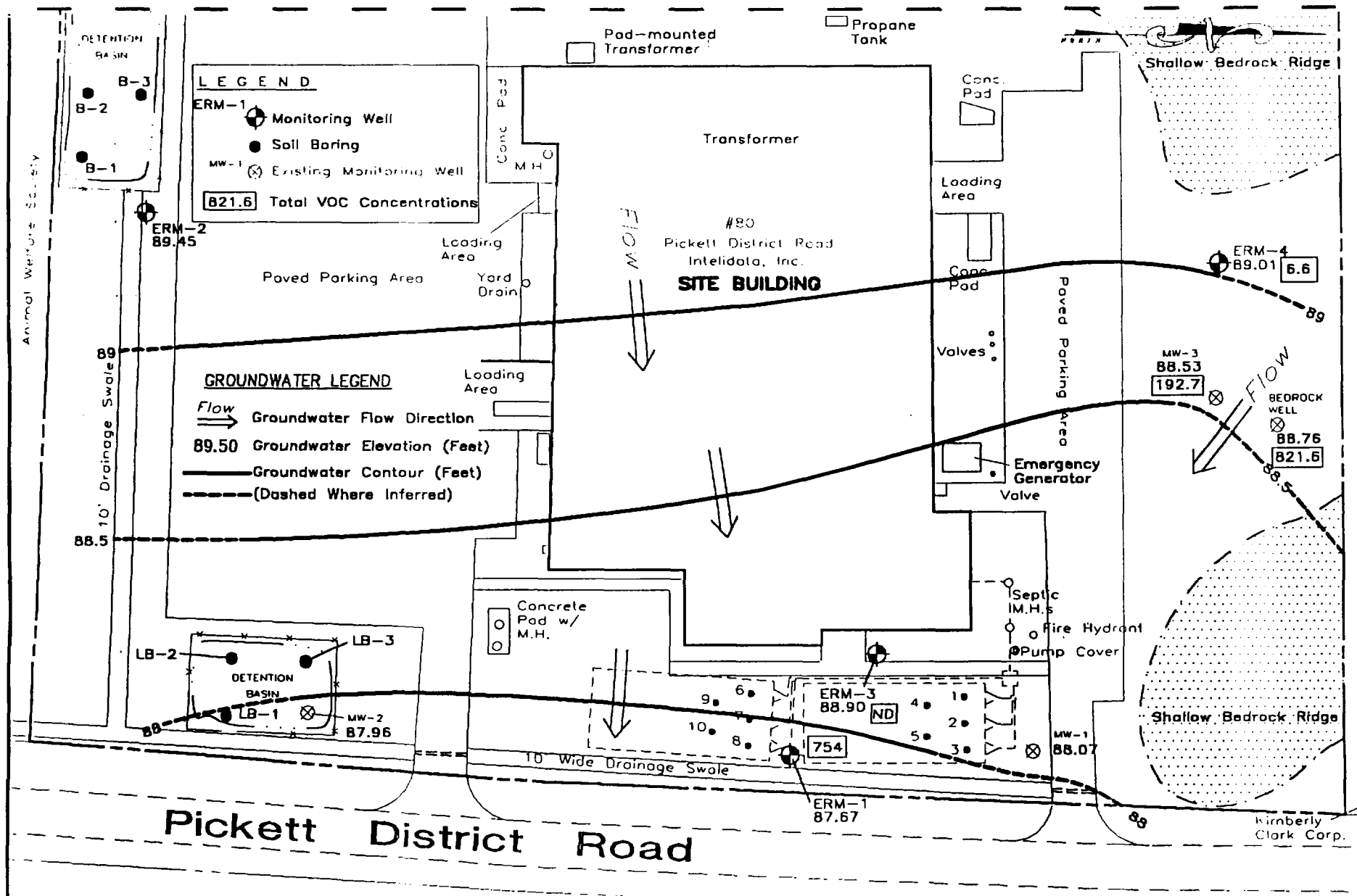
(EPA Region or State) EPA Region 1

Locations where References may be found:

Environmental Resources Management, Phase II Environmental Assessment, September 24, 1998
Environmental Resources Management, Addendum to Phase II Environmental Site Assessment,
Dec. 30 1998

Contact telephone and e-mail numbers

(name) Stephanie Carr
(phone #) 617/918-1363
(e-mail) carr.stephanie@epa.gov



ERM-Northeast
Environmental Resources Management

Date: November, 1998

Drawn: M. Mayo

Scale: 1" = 70'

Reference Maps: Information taken from site reconnaissance

80 Pickett District Road
New Milford, Connecticut
Project No.: 1416.003

SITE PLAN

Figure

1

Table 2
Summary of Groundwater Sample Results
80 Pickett District Road,
New Milford, Connecticut
August October, 1998

	Residential Volatilization Criteria	Industrial/Commercial Volatilization Criteria	Surfacewater Protection Criteria	ERM Sample ID Well ID Date Sampled	MW1-101 MW-1 08/14/98	MW1-201 MW-1 10/30/98	MW2-102 MW-2 08/14/98	MW3-103 MW-3 08/14/98	MW3-202 MW-3 10/30/98	ERM1-104 ERM-1 08/14/98
VOCs (ug/L)	CT RSR GA/GAA GWPC									
1,1,1 Trichloroethane	20,400	50,000	62,500	200	5.5	<1.0	29	280	170	1500
Trichloroethene	219	540	2,340	5	<1.0	<1.0	1	27	<1.0	130
1,1 Dichloroethane	34,600	50,000	NE	70	<1.0	<1.0	<1.0	2.2	<1.0	16
1,1 Dichloroethene	1	6	96	7	<1.0	<1.0	<1.0	11	5.7	64
cis-1,2-Dichloroethene	NE	NE	NE	70	<1.0	<1.0	<1.0	1.2	<1.0	7.6
Tetrachloroethene	1,500	3,820	88	5	<1.0	<1.0	<1.0	1.4	17	2.7
Chloroethene	NE	NE	NE		<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
1,2-Dichloroethane	21	90	2,970	1	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
1,1,2-Trichloroethane	8,000	19,600	1,260	5	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0
Vinyl chloride	2	2	15,750	2	<1.0	<1.0	<1.0	<1.0	<1.0	<1.0

mg/L=milligrams per liter

ug/L=micrograms per liter

VOCs=Volatile Organic Carbons

NE= None Established by the Connecticut Department of Environmental Protection

Bold type indicates an exceedance of one or more of the Groundwater Protection Criteria

f:/projects/Intelidata/tables/water

Table 2
Summary of Groundwater Sample Results
 80 Pickett District Road,
 New Milford, Connecticut
 August October, 1998

	Residential Volatilization Criteria	Industrial/Commercial Volatilization Criteria	Surfacewater Protection Criteria	ERM Sample ID Well ID Date Sampled	ERM1-104 ERM-1 08/14/98	ERM1-203 ERM-1 10/30/98	ERM2-105 ERM-2 08/14/98	ERM3-104 ERM-3 10/30/98	ERM4-105 ERM-4 10/30/98	MW1D-106 MW-1 10/30/98	Bedrock-107 Bedrock well 10/30/98
VOCs (ug/L)				CTRSR GA/6AA GWPC							
<i>1,1,1 Trichloroethane</i>	20,400	50,000	62,500	200	1500	680	<1.0	<1.0	6.6	<1.0	370
<i>Trichloroethene</i>	219	540	2,340	5	130	<2	<1.0	<1.0	<1.0	<1.0	130
<i>1,1 Dichloroethane</i>	34,600	50,000	NE	40	16	5.3	<1.0	<1.0	<1.0	<1.0	160
<i>1,1 Dichloroethene</i>	1	6	96	7	64	23	<1.0	<1.0	<1.0	<1.0	120
<i>cis-1,2-Dichloroethene</i>	NE	NE	NE	40	7.6	<2	<1.0	<1.0	<1.0	<1.0	20
<i>Tetrachloroethene</i>	1,500	3,820	88	5	2.7	46	<1.0	<1.0	<1.0	<1.0	5.1
Chloroethene	NE	NE	NE		<1.0	<2	<1.0	<1.0	<1.0	<1.0	11
1,2-Dichloroethane	21	90	2,970	1	<1.0	<2	<1.0	<1.0	<1.0	<1.0	1.9
1,1,2-Trichloroethane	8,000	19,600	1,260	5	<1.0	<2	<1.0	<1.0	<1.0	<1.0	1.9
Vinyl chloride	2	2	15,750	2	<1.0	<2	<1.0	<1.0	<1.0	<1.0	1.7

mg/L=milligrams per liter

ug/L=micrograms per liter

VOCs=Volatile Organic Carbons

NE= None Established by the Connecticut Department of Environmental Protection

Bold type indicates an exceedance of one or more of the Groundwater Protection Criteria

\\projects\Intellidata\tables\water



William J. Tracey
Vice President,
Counsel

June 14, 1990

Mr. Michael J. O'Brien
U. S. Environmental Protection Agency
Waste Management Division
JFK Federal Building
Boston, MA 02203

Dear Mr. O'Brien:

I am enclosing the letter which we discussed on the telephone which explains the background of Burndy's involvement with the subject property.

I would appreciate receiving a confirmation that Burndy will not be expected to comply with the groundwater monitoring and post-closure requirements referred to in the May 7, 1990 letter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'WJ Tracey', written over a horizontal line.

William J. Tracey

WJT:gmd.7.74.349

NAME: CEE Assoc **24**
I.D. NO.: CTDC44/21697
FILE LOC: R-113
OTHER: Corresp Closure

JUN 19 1990

JUN 19 1990



William J. Tracey
Vice President,
Counsel

June 14, 1990

Merrill S. Hohman, Director
Waste Management Division
U. S. EPA, Region 1
J. F. Kennedy Federal Building
Boston, MA 02203-2211

RE: EPA I.D. NO. CTD044121697 POST-CLOSURE PART B PERMIT CALL

Dear Mr. Hohman:

This letter is in response to your letter dated May 7, 1990 advising of the need for an application for a Part B Post-Closure permit regarding property previously owned by Burndy Corporation on Pickett District Road, New Milford, CT and conveyed by us on September 7, 1983 to C.E.E. Associates Limited, 30 West Street, New Milford, CT.

Burndy considers that there are two reasons why we should not be required to submit a Part B Post-Closure Permit application:

1. The surface impoundments which were the facilities that are the subject of your letter were "clean-closed" in accordance with the regulations in effect on the date of closure. The DEP, acting under the authorization and we believe with the specific concurrence of the EPA, has given Burndy written verification "...that Burndy Corporation's New Milford hazardous waste facility is not subject to any post-closure care requirements... since all hazardous wastes have been removed at closure".
2. In reliance upon the DEP verification of the non-applicability of post-closure requirements, Burndy conveyed the subject property to a company known by us and the DEP to plan to conduct operations on site involving hazardous wastes of the same type produced by Burndy. The transferee was later reported in the media to have been subsequently convicted and fined for illegally discharging hazardous wastes from the site. Because there is no evidence of groundwater contamination at the site on the date of transfer, there is no way of determining responsibility for any contamination which may exist today.

Notwithstanding the specific waiver from the DEP, the latter subsequently attempted to require Burndy on two separate occasions to install groundwater monitoring. Both of these attempts were apparently forsaken after Burndy's protest.

Burndy has no right to conduct post-closure care on property which it does not own nor to which it has any rights.

The following is a chronology of events regarding the closure activity:

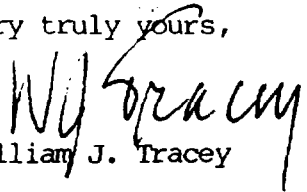
1. In October, 1982, Burndy submitted a Closure and Post-Closure Plan regarding the subject property to the DEP which provided for a hydrogeology study and groundwater monitoring. The plan was accepted by the DEP. (Attachment No. 1)
2. In March, 1983, Burndy decided to discontinue all operations at the site and sell the property. We made further contact with the DEP which provided us with current closure guidelines and advised that, if we removed the hazardous waste from the drying beds and lagoons, it would be a clean closure without need for post-closure care or groundwater monitoring. (Attachment No. 2)
3. In reliance upon the statements of the DEP regarding the absence of post-closure requirements following completion of the closure in accordance with the plan, Burndy contracted in June 1983 to sell the site to a party which was known to intend to conduct hazardous waste operations on the site. Burndy transferred the property to this party in September 1983, following certification of closure in accordance with the closure plan.
4. By letter dated September 1, 1983, the DEP verified that the facility was not subject to any post-closure care requirements. (Attachment No. 3)
5. The transferee was reported to have been convicted in Superior Court in November 1984 for having discharged hazardous wastes from the site without a permit. (Attachment No. 4)
6. In October 1985, Burndy received a Sec. 3007 request from the EPA regarding the facility. The compliance report in response to this request was dated November 15, 1985. (Attachment No. 5 without referenced attachment)
7. By letter dated November 19, 1985, Burndy was advised by the DEP that it was required to install groundwater monitoring or obtain a waiver. We responded by letter dated November 25, 1985 calling attention to the waiver dated September 1, 1983. (Attachment No. 6)

8. Burndy received Order HM-305 dated January 6, 1986 from the DEP requiring as to bring the facility into compliance with Connecticut's groundwater monitoring requirements. Burndy appealed the Order and no further action has taken place. (Attachment No. 7)

When the background of this matter is considered, it would seem to be a gross injustice to require Burndy to take any action at the site regarding post-closure requirements or to attempt to penalize it for failure to do so.

In view of the above, I request that the EPA withdraw the requirements stated in its letter dated May 7, 1990.

Very truly yours,


William J. Tracey

WJT:gmd.7.69.346

cc: Michael O'Brien
U. S. EPA

George Dews
CT DEP

LEGAL DEPARTMENT

BURNDY LEGAL DEPT.

July 20, 1983

Christene C. Tafoya
Department of Environmental Protection
Hazardous Materials Management Unit
Hazardous Waste Management Section
122 Washington Street - Room 9
Hartford, Connecticut 06106

RE: CLOSURE PLAN
BURNDY CANDLEWOOD FACILITY
PICKETT DISTRICT ROAD
NEW MILFORD, CT.

Dear Ms. Tafoya:

I would like to express our appreciation for your efforts in enabling the public notice regarding our Closure Plan to be prepared for publication.

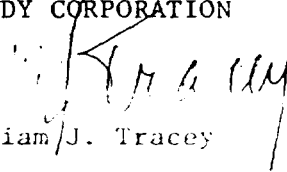
With respect to the provision in the notice that Burndy's Closure Plan was submitted on June 24, 1983, we draw your attention to the fact that we submitted a Closure and Post-Closure Plan to your Department on October 1, 1982. That submission was accepted subject to our further provision of a hydrogeological and ground water report.

We make note of this only as regards the statement requiring a submission of a plan at least 180 days prior to date of commencement of closure which requirement your Department has cooperatively waived.

The closure activity is underway, and we anticipate completing all tasks except for backfilling (which will await expiry of the comment period) within a few days.

Sincerely,

BURNDY CORPORATION


William J. Tracey

WJT:rsc

cc: R.G. Cole
B.J. Steps

CANDLEWOOD PLANT

Lagoon Closure and Post Closure Plans
Including Estimates for Closing and Post Closing Monitoring Costs
(Date of Closure is Undetermined)

APPROVED (For 1st File)
BY
DEP
(BARRY GIBSON)
10/11/82
HYDROLOGY
AND
GROUND WATER
REPORT
REQUIRED.

Taking each of the specified objectives for impoundment closure (FR May 19, 1980 PG 33209) in turn:

1. Controlling the migration of hazardous waste constituents into ground water.
 - A. All residual sludge will be removed and hauled away and disposed of by authorized transporters and disposers.
 - B. The lagoon earth bed and sides to the extent of at least 12" will be removed and hauled away as part of the sludge.
 - C. Soil (water) samples will be taken from several areas of the lagoon bed to insure that the condition of the base soil is satisfactory.
 - D. The lagoon pit will be filled with clean bank run sand, gravel or soil and a minimum of a seeded grass cover will crown the closure.
2. Estimate of maximum inventory of wastes in Lagoon and drying beds at time of closure.
 - A. The lagoon is 20' x 40' x 3' deep
2,400 cubic feet (18,000 gallons or 90 cubic yards)
 - B. The two drying beds are the same size: 20'x40'x 3' deep 2,400 cubic feet (18,000 gallons or 90 cubic yards).
 - C. The maximum inventory of these three impoundments would therefore be:
7,200 cubic feet (54,000 gallons or 270 cubic yards)
3. Estimated Cost of Closure
 - A. Pumping Cost \$2.03 per cubic Foot
 $\$2.03 \times 7,200 = \$14,616$
 - B. Transportation Cost of \$0.26 per gallon
 $\$0.26 \times 54,000 = \$14,040$
 - C. Cost to back fill with bank run gravel : 6 foot depth (3ft operating depth + 3 feet freeboard)
540 cubic yards at \$10 per yard \$5,400

CT. STATE TAX
(\$.04 / GAL)

54,000 GALS
x .04
\$ 2,160. -

D. Cover with 12" of Top soil 2,400 cubic feet (89 cubic yards at \$20/yd)	\$1,780
E. Rake, Seed and Roll	<u>800</u>
Total	\$ 36,636

4. Estimated Cost of Post Closure Care and Monitoring.

- A. Installation of ground water monitoring wells, including site geohydrologic survey and review for location of test wells - Estimated cost \$15,000.
- B. Post Closure Monitoring to be done on a quarterly frequency by sample tests taken from the pipe wells located both upstream and downstream of the impoundments (lagoons). Estimated annual cost of taking samples and having them analyzed: $\$700 \times 4 = \$2,800$.
- C. Grounds maintenance and misc. well repairs estimate \$1,500 per year.

TOTALS

Initial cost of wells	\$15,000
Annual Monitoring and Grounds Care	4,300

5. Grand Total for first year:	\$36,636
	15,000
	4,300
	<u>\$55,936</u>
	2,160 STATE TAX
	<u>\$ 58,096</u>

May 16, 1983

Mr. Barry Giroux
WATER COMPLIANCE UNIT
State of Connecticut
Department of Environmental Protection
165 Capitol Avenue
Hartford, Connecticut 06106

EPA I.D. #CTD044121697
NPDES No.: CT0001546

RE: DEP/WPC-096-019
Town of New Milford
Housatonic River Watershed

Dear Mr. Giroux:

This is to confirm the notification of Burndy Corporation's intention with respect to its plant at Pickett District Road, New Milford to:

- a) Cease all plating operation and the generation of hazardous waste on or before June 30, 1983;
- b) cease all storage of hazardous waste and remove the same by licensed transporter to a licensed disposal site;
- c) complete the closure of the hazardous waste activities at the New Milford site in accordance with applicable laws and regulation, and
- d) transfer the ownership of the referenced building and land to Diventco Corporation of New Milford, Connecticut.

It is not Burndy's intention to transfer to the new owner any plating operation or waste treatment equipment, nor any of Burndy's permits respecting hazardous waste facilities or activities.

It is Burndy's intention to remove all hazardous waste and contaminated soil from the site and to fill in the lagoon and sludge storage pits. It is our understanding that, following such removal, the closure can be completed without need for ground water monitoring or other post-closure care.

.../1

Mr. Barry Giroux
Re: DEP/WPC-096-019
Town of New Milford

May 16, 1983

Please advise if further information is required. Our closure plan will be sent shortly.

Very truly yours,

BURNDY CORPORATION


William J. Tracey
Legal Department

WJT:rsc

cc: Michael Harder
Water Compliance Unit
DEP, Hartford, CT

R. Cole
J. Steps

September 1, 1983

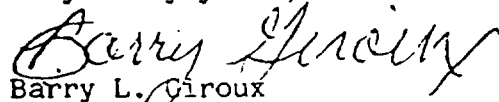
Burndy Corporation
Richards Avenue
Norwalk, Connecticut 06856

RE: Surface Impoundment Closure Plan, Burndy Corporation, New Milford, Connecticut.

Gentlemen:

This letter is to verify that Burndy Corporation's New Milford hazardous waste facility is not subject to any post-closure care requirements (Sections 25-54cc(c)-33 (g) through (j) of Connecticut Hazardous Waste Management Regulations) since all hazardous wastes have been removed at closure.

Very truly yours,



Barry L. Giroux
Senior Sanitary Engineer
Hazardous Waste Management Section

BLG:et

Firm fined for waste

Danbury News-Times - 11-28-84

By Olivia Winslow
News-Times staff

NEW MILFORD — The Diventco Corp. was fined \$25,000 yesterday after the company's president pleaded no contest to two charges that the company illegally discharged waste water into the Housatonic River.

Assistant State's Attorney John J. Dropick said the company could have faced fines of \$25,000 on each count of discharging waste without a permit on April 2 and June 15 of this year.

Litchfield Superior Court Judge M. Morgan Kline imposed the fine.

Diventco President Chris Totolis could not be reached for comment yesterday.

The investigation by the statewide prosecution unit for the environment was prompted by a complaint from the state Department of Environmental Protection's water compliance unit, Dropick said.

Totolis was served with an arrest warrant on Oct. 16 on charges that the company discharged waste water from its 80 Pickett District Road plant into the river without a required discharge permit from the DEP.

Tests by the DEP determined that Diventco, which makes printed circuit boards, discharged metals such as copper, tin, lead and suspended solids into the river, sanitary engineer Peter Ploch has said.

Ploch said Diventco was not properly treating its waste before discharging it.

He said Diventco had applied for a permit, but the application was being reviewed and the permit had not yet been awarded during the period the state said Diventco was illegally discharging its waste.

The DEP sent a notice to New Milford's sanitarian last month announcing its intention to approve a discharge permit for Diventco at some future date.

November 15, 1985

US Environmental Protection Agency
Waste Management Division
J.F.K. Federal Building, Room 1903 (HSE Caus)
Boston, Massachusetts 02203
Att'n: Compliance Analyst

EPA ID No. CTD044121697

RE: Section 3007 Compliance Report

In compliance with your Information Request, received Oct. 14th, the information given below is provided:

Note: This Facility was sold by Burndy Corporation in September of 1983. All Hazardous Wastes and contaminated materials were removed from the site under an approved CT DEP-Closure Plan prior to the sale. The only Solid Waste Management Units (SWMUs) that did not receive hazardous wastes after July 26, 1982 were the metal hydroxide sludge drying beds. The lagoon was used until June, 1983.

1.a. Provide a map showing the facility boundaries and location of all SWMUs. See Attachment #1

b. Description and dimensions of SWMUs

Type of Unit	Dimensions
Sludge Drying Beds (2)	20'x40'x4'deep
Lagoon	20'x50'x4'deep

c. Dates Units were in use

Sludge Drying Beds	Summer of 1967 thru March 1982
Lagoon	Summer of 1967 thru June 1983

d. Give Quantity and Type of Waste Managed in Unit.

Unit	Type of Waste	Quantity
Drying Beds	Metal Hydroxide Sludge	24.6 Cu/Yds. (Lifetime Accumula
Lagoon	Water and Sludge	7,000 gals of water and 1,300 gals of sludge.

Sludge Drying Beds None- other than normal ground percolation.*
Lagoon None- other than normal ground percolation
 and supernatant discharge to river.*
 *See f. below.

Soil tests were taken by Roux Associates in order to determine the quantity of subsoil that was removed as part of the 1983 Closure. Both the procedure used and the test results are given in Attachment #2 (pages 22 thru 52 of the approved closure plan)

None. Since all hazardous wastes and contaminated materials, including the Drying Bed and Lagoon subsoils were removed eliminating the possibility of future contamination from materials used by Burndy Corporation, no current or future release activities are needed. See Attachment #3 Closure Plan Approval.

Production Plating Room
Waste Water Treatment Room

Tank and strip plating room
Lancy and later DMP Waste Water Treatment Systems

Plating Room	Summer of 1967 thru June 1983
Waste Water Treatemst Systems	" " " " " "

Unit	Type of Waste	Quantity.
Plating Room	Rinse waters containing Copper, Chrome, Lead, Tin, Zinc and Cyanide.	4,800 Gal./day
Water Treat. Room	Treated Rinse Waters and Metal Hydroxide sludge discharged to drying beds and lagoon.	4,300 Gal./day

e. Known Releases of hazardous wastes (Date, Quantity and Type)

Plating Room None- except as noted in d. above
Treatment Room None- except as noted in d. above.

f. Releases Occurring from Unit (Sample Test Results)

Plating Room None- except as noted in d. above.
Treatment Room None- except as noted in d. above.

Note: During the next several days after the shut-down of the Burndy Plating Operation on June 20, 1983 a thorough clean up of the Plating Room and the Waste Water Treatment System took place. This included steam cleaning the tanks and triple flushing all trenches and discharge pipes. The clean up also included the disposal of all surplus chemicals. Details are given in Attachment #4 (Pages 6,7, and 8 of the Closure Plan).

g. Corrective Actions and Mitigating Measures

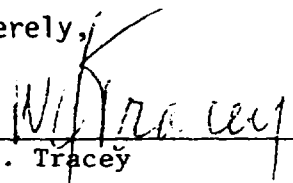
Plating Room None Required
Treatment Room None Required- Perhaps it should be noted that the original 1967 Lancy Waste Water Treatment System was replaced by a larger DMP system in 1980.

3. DATES OF LAST DISCHARGES INTO LAND DISPOSAL UNITS

Sludge Drying Beds March 1982
Lagoon June 1983

We trust you will find the above complete and in good order.

Sincerely,


W. J. Tracey

Attachments:

1. Map showing facility boundaries and SWMUs
2. Core sample test results
3. Closure Plan Approval
4. Removal and disposal of hazardous wastes.

cc: Barry Giroux

LEGAL DEPARTMENT

November 25, 1985

Christine Atkinson
Environmental Analyst
State of Connecticut
Department of Environmental Protection
Hazardous Waste Management Section
165 Capital Avenue
Hartford, CT 06106

RE: Burndy Corporation - Candlewood Groundwater Monitoring
Waiver Demonstration:

Dear Ms. Atkinson:

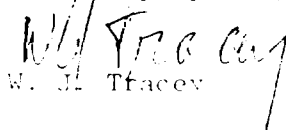
This is in response to your letter dated November 19, 1985 addressed to Michael Sova at our Wampus Rd., Milford facility regarding groundwater monitoring at our Candlewood facility. In the future, please address all communications concerning our Candlewood facility to the undersigned.

At the time of closure of our Candlewood facility at Pickett District Rd., New Milford, CT we received a confirmation from the Hazardous Waste Management Section that the facility was not subject to post-closure care requirements. Please see the attached letter dated September 1, 1983.

Therefore, it seems to me that the need for a waiver at this time is obviated by the fact that we already received one. Moreover, it is more than two years since all hazardous wastes deposited by us and the surrounding contaminated earth were removed and we have not had title, possession or control of the site since that time when it was sold to a company that we understood intended to generate similar waste. If monitoring at this time were to show contaminated groundwater, it may be impossible to determine the party responsible.

In view of the above, we request that you not implement the Administrative Order.

Sincerely yours,


W. J. Tracey

WJT/11
Enc.



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CELEBRATING
CONNECTICUT
350
YEARS
1985 & 1986

November 19, 1985

Mr. Michael Sova
Burndy Corporation
Wampus Road
Milford, Connecticut 06460

RECEIVED

NOV 2 1985

BURNDY LEGAL DEPT.

Dear Mr. Sova:

RE: Burndy Corporation - Candlewood groundwater monitoring
waiver demonstration:

As we discussed on November 13, 1985, Connecticut's Hazardous Waste Management Regulations require the installation of a groundwater monitoring system or approval of a waiver demonstration which indicates that such a system is not required. A groundwater monitoring system has not been installed at Burndy - Candlewood, nor has a waiver demonstration been approved. Therefore, an Administrative Order will be issued that requires compliance with Connecticut's Hazardous Waste Management Regulations.

To assist you in the preparation of the waiver demonstration document, you will find enclosed an excerpt from a guidance document prepared by EPA, which indicates the factors that are to be considered in such waiver demonstrations.

If you have any questions or comments, please do not hesitate to contact me at 566-4869 or 566-5712.

Sincerely,

Christine Atkinson
Environmental Analyst
Hazardous Waste Management Section

CA:et

Enclosure - EPA Guidance document

cc: William Tracey - Burndy Corp. ✓
(Norwalk)

Phone

165 Capitol Avenue • Hartford, Connecticut 06106

An Equal Opportunity Employer



New Milford (Landscape) Hazardous Waste

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



September 1, 1983

Burndy Corporation
Richards Avenue
Norwalk, Connecticut 06856

RE: Surface Impoundment Closure Plan, Burndy Corporation, New Milford, Connecticut.

Gentlemen:

This letter is to verify that Burndy Corporation's New Milford hazardous waste facility is not subject to any post-closure care requirements (Sections 25-54cc(c)-33 (g) through (j) of Connecticut Hazardous Waste Management Regulations) since all hazardous wastes have been removed at closure.

Very truly yours,

Barry L. Giroux

Barry L. Giroux
Senior Sanitary Engineer
Hazardous Waste Management Section

BLG:et

Phone:

165 Capitol Avenue • Hartford, Connecticut 06106

IN THE MATTER OF AN ORDER TO BURNDY CORP. CANDLEWOOD-BURNDY TO COMPLY
WITH CONNECTICUT'S HAZARDOUS WASTE MANAGEMENT REGULATIONS.

ORDER

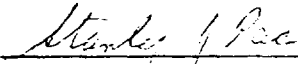
Having found that Burndy Corp. Candlewood-Burndy located at Pickett District Road, New Milford, Connecticut, is in violation of Connecticut's Hazardous Waste Management Regulations under the provisions of Chapter 446k and 439 of the Connecticut General Statutes as amended, the Commissioner of Environmental Protection acting under Sections 22a-6 and 22a-449 of the General Statutes, hereby orders Burndy Corp. Candlewood-Burndy to take such action as is necessary to:

1. Bring the facility into compliance with Connecticut's groundwater monitoring requirements.

Burndy Corp. Candlewood-Burndy is further ordered to accomplish the above described program, except as may be revised by the Commissioner of Environmental Protection, in accordance with the following schedule:

- A. On or before February 28, 1986, verify to the Commissioner of Environmental Protection that a qualified geologist or geotechnical engineer has been retained to perform the necessary studies under Directive 1.
- B. On or before March 31, 1986, submit to the Commissioner of Environmental Protection for review and approval a groundwater monitoring plan or a geotechnical assessment which evaluates the potential for migration of hazardous waste or hazardous waste constituents from the facility to the uppermost aquifer and the potential for hazardous waste or hazardous waste constituents which enter the uppermost aquifer to migrate to water supply wells or surface water.

Entered as an Order of the Commissioner of Environmental Protection
the 6 day of January, 1986.



Stanley J. Pac
Commissioner

Order No. HM-
Town of New Milford

Sent Certified Mail
Return Receipt Requested



CERTIFIED MAIL

LEGAL DEPARTMENT

February 18, 1986

Mr. Stanley J. Pac, Commissioner
Department of Environmental Protection
165 Capitol Avenue
Hartford, CT 06106

Re: State of Connecticut vs. Burndy Corporation
Candlewood Order No. HM 305

Dear Commissioner:

Your order No. HM-305 relating to Burndy's Candlewood facility requires that certain actions be taken by Burndy according to scheduled dates, the first one being February 28, 1986.

By letter to you dated January 20, 1986, Burndy appealed the referenced order and requested an informal hearing.

Inasmuch as no date has been established for the informal or formal hearing on appeal, I request that you extend the time schedule in the referenced Order pending the hearing.

Very truly yours,

BURNDY CORPORATION

W. J. Tracey

WJT/11

cc: S. Hitchcock
E. Parker
B. Giroux



LEGAL DEPARTMENT

CERTIFIED MAIL

January 20, 1986

Mr. Stanley J. Pac, Commissioner
Department of Environmental Protection
165 Capitol Avenue
Hartford, CT 06106

Re: State of Connecticut vs. Burndy Corporation
Candlewood Order No. HM 305

Dear Commissioner:

Burndy Corporation, the aggrieved recipient of the above-referenced Order No. HM-305 entered by you on January 6, 1985, hereby requests a hearing before you pursuant to the provisions of Section 22a-6c of the Connecticut General Statutes for the purpose of contesting the subject finding and order.

In view of the somewhat unique background relating to the closure of the hazardous waste impoundments at this facility and the subsequent sale and conveyance of the premises, Burndy requests an informal pre-hearing conference with your Department. Kindly advise the undersigned when such conference may be held. My telephone number is 852-8746.

Very truly yours,

BURNDY CORPORATION

By WJ Tracey
W. J. Tracey
Corporate Counsel

WJT/11

cc: S. Hitchcock
E. Parker
B. Giroux

STATE OF CONNECTICUT

DEPARTMENT OF ENVIRONMENTAL PROTECTION



FACILITY ANNUAL REPORT

(This information is required pursuant to Section 25-54cc(c) NAME: CEK Assoc
Connecticut's Hazardous Waste Management Regulations) I.D. NO.: CTD044121697

This report is for the year ending December 31, 1982.

FILE LOC: R-1B

OTHER: Comp Closure

Installation EPA I.D. Number: CTD044121697

Name of Installation: Burndy Corporation

Installation Mailing Address: Pickett District Road Street Name and Number
New Milford, Ct. State 06776 Zip Code

Location of Installation:

Pickett District Road Street Name and Number
New Milford, Ct. State 06776 Zip Code
Town

Installation Contact:

Name: Thomas J. McCue

Title: Manufacturing Manager

Phone: (203) 354-9311

Cost Estimates for Facilities:

A. Closure: \$45,000 (approximate) Post Closure: _____

I. Ground Water Monitoring:

A. Did any of the ground water analyses indicate levels of parameters above drinking water standards? Yes _____ No _____. Wells expected to be installed by July 1983.

If yes, please list parameters of concern and highest levels found: _____

B. Did any of the statistical comparisons required pursuant to 40 CFR 265.93(b) indicate a significant increase (or pH decrease) in any of the monitoring wells? Yes _____ No _____. If yes, please list parameters of concern and highest levels found: _____

X. Owner/Operator Certification:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents pertaining thereof and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. Owner Signature <u>Joseph R. Melo</u>	Terrence E. Ward, Vice President- General Manager - U.S. Components B. Name & Official Title (type or print)	4/16/83 Date Signed
A. Operator Signature	Plant Manager B. Name & Official Title (type or print)	3/31/83 Date Signed

RECEIVED

FACILITY ANNUAL REPORT

FORM HW-5
Jan. 1983State of Connecticut
Department of Environmental Protection
Hazardous Waste Management Section
State Office Building
Hartford, Connecticut 06106FACILITY NAME: Burndy CorporationEPA I.D. # CTD044121697 YEAR OF 1982Generator Name Burndy CorporationGenerator Address: Pickett District RoadCity, State, Zip Code: New Milford, Ct. 06776Generator EPA I.D. #: CTD044121697Note: Photocopy this page before
completing if more space
is required.

X. Waste Identification

Proper U.S. DOT Shipping Name and Description if Waste is N.O.S.	B. Waste Number	C. Volume and/or Weight	D. Units	E. Handling Method
Hazardous Waste Liquid, N.O.S.	NA9189	4469	Gal.	SO2, T31, D81
Cyanide Solution, N.O.S.	NA1588	1900	Gal.	SO2, T27, D81
1,1,1, Trichloroethne	2831	825	Gal.	SO1, T63
Waste Cyanide Solution	UN1935	9180	Lbs.	SO1, T27, D81
Hazardous Waste Solid	NA9189	11,625	Lbs.	SO1, T31, D81

RECEIVED

JAN 15 1983
HARTFORD
Hazardous Waste Management Unit

COMMENTS:

Page 2 of 2
(Enter "A", "B", "C", etc. behind
the "2" to identify photocopied
pages)

ATTACHMENT 2

NAME: CEE Assoc
I.D. NO.: CTD044121697
FILE LOC: R-1B
OTHER: Company Closure

RE: Comments on Burndy Corporation's Closure Plan (CTD044121697)

As is discussed below, the closure plan for the drying beds (surface impoundments) submitted by Burndy does not meet the regulatory requirements of the Resource Conservation Recovery Act and the Regulations of Connecticut State Agencies Section 25.54cc(c). (D.E.P. Regulations). The plan should be amended to comply with applicable regulations.

The surface impoundments have been used to manage a listed (F006) hazardous waste. According to ~~the~~ D.E.P. REGS. Section 25.54cc(c)-34 (40 CFR 261.3(a)(2)(iv)), if a listed-waste is mixed with another material, the entire mixture is considered to be a hazardous waste and must be managed in a manner consistent with the hazardous regulations. At closure, D.E.P. REGS. Section 25-54cc(c)-34 (40 CFR 265.228) clearly states that the owner or operator must remove all wastes and waste-contaminated soil (including leachate-contaminated soils) or else be subject to the closure and post-closure requirements for landfills under D.E.P. REGS. Section 25-54cc(c)-34 (40 CFR 265.310). Because of the listed-waste mixture rule, soil contamination is considered to be present if contaminant concentrations exceed background levels. The maximum contaminant levels defined by the EP-Toxicity Test are not the standards to be used in deciding how much soil must be removed.

The public notice makes clear that at least some contaminated ground water is undoubtedly present. If all these materials cannot be removed, the facility closure plan should also address post-closure requirements.

In addition, a ground water monitoring system must be installed. The public notice acknowledged that ground water contamination has undoubtedly occurred. Monitoring results will be needed to define the extent of waste-contaminated soils so that they can be removed (unless closure as a landfill is planned). There is no regulatory basis for waiving the requirements for monitoring ground water. Neither dilution by the adjacent river, the non-use of the ground water down-gradient of the facility, ground water classification in the area, nor the supposed lack of potential for significant ground water impact provide grounds for a waiver. Monitoring wells should have been in place since November 19, 1981. Attempting to close the facility in no way relieves the company of this requirement. If the company fails to remove all wastes, (as is probable) post-closure monitoring will also be required.

In summary, a ground water monitoring system must be installed. The results obtained from sampling and analysis will conclusively show whether hazardous waste has contaminated the surrounding soils. Since the company and the State of Connecticut already acknowledge the probability of contamination, the closure plan of the impoundments cannot be considered complete unless landfill closure and post-closure requirements are also addressed.